

SB 558-SENATE COMMISSION, 10:32

MR. PRESIDENT:

I move that Senate Bill 558 be amended to read as follows:

- 1 Page 2, between lines 34 and 35, begin a new paragraph and
- 2 insert:
- 3 "SECTION 2. IC 16-34-2-1 IS AMENDED TO READ AS
- 4 FOLLOWS: Sec. 1. (a) Abortion shall in all instances be a criminal act,
- 5 except when performed under the following circumstances:
- 6 (1) During the first trimester of pregnancy for reasons based
- 7 upon the professional, medical judgment of the pregnant
- 8 woman's physician if:
- 9 (A) the abortion is performed by ~~the~~ **a physician, advance**
- 10 **practice nurse, or physician assistant;**
- 11 (B) the woman submitting to the abortion has filed her
- 12 consent with her physician. However, if in the judgment of
- 13 the physician the abortion is necessary to preserve the life
- 14 of the woman, her consent is not required; and
- 15 (C) the woman submitting to the abortion has filed with her
- 16 physician the written consent of her parent or legal guardian
- 17 if required under section 4 of this chapter.
- 18 (2) After the first trimester of pregnancy and before viability, for
- 19 reasons based upon the professional, medical judgment of the
- 20 pregnant woman's physician if:
- 21 (A) all the circumstances and provisions required for legal
- 22 abortion during the first trimester are present and adhered
- 23 to; and
- 24 (B) the abortion is performed in a hospital or ambulatory
- 25 outpatient surgical center (as defined in IC 16-18-2-14).
- 26 (3) Except as provided in subsection (b), after viability of the
- 27 fetus for reasons based upon the professional, medical judgment
- 28 of the pregnant woman's physician if:
- 29 (A) all the circumstances and provisions required for legal
- 30 abortion before viability are present and adhered to;
- 31 (B) the abortion is performed in compliance with section 3
- 32 of this chapter; and
- 33 (C) before the abortion the attending physician shall certify
- 34 in writing to the hospital in which the abortion is to be

1 performed, that in the attending physician's professional,
2 medical judgment, after proper examination and review of
3 the woman's history, the abortion is necessary to prevent a
4 substantial permanent impairment of the life or physical
5 health of the pregnant woman. All facts and reasons
6 supporting the certification shall be set forth by the
7 physician in writing and attached to the certificate.
8 (b) A person may not knowingly or intentionally perform a partial
9 birth abortion unless a physician reasonably believes that:
10 (1) performing the partial birth abortion is necessary to save the
11 mother's life; and
12 (2) no other medical procedure is sufficient to save the mother's
13 life.
14 Page 2, line 35, delete "SECTION 2." and insert "SECTION 3."
(Reference is to S.B. 558 as printed February 26, 1999.)

Senator SIPES